

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FOURTH SECTION

DECISION

Application no. 39770/20
Imre BUTYKA
against Romania

The European Court of Human Rights (Fourth Section), sitting on 17 October 2024 as a Committee composed of:

Anne Louise Bormann*, President*,
Sebastian Răduleţu,
Mateja Đurović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 16 December 2020,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Imre Butyka, was born in 1963. His complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Romanian Government ("the Government").

From the documents submitted by the Government it transpires that the applicant had died on 22 November 2023 in Arad Prison.

On 22 January 2024 a letter was sent by the Registry to the applicant's home address, asking whether there was any potential heir wishing to pursue the proceedings before the Court. No reply was received by the Court.

On 15 April 2024 the Registry sent a registered letter, to the applicant's home address, notifying the potential heirs that the time allowed for the submission of their observations had expired and their attention was further drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that there is no intention to pursue the application before the Court.

That letter returned to the Court on 22 May 2024, with the mention 'recipient deceased'.

THE LAW

In the light of the foregoing, the Court concludes that the applicant has no heirs wishing to pursue the application within the meaning of Article 37 § 1 (a) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and the Protocols thereto which require the continued examination of the application.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases.

Done in English and notified in writing on 14 November 2024.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President